



City of Austin
Planning & Development Review Department

To: Building Contractors
From: Leon Barba, P.E., Planning & Development Review Department - Building Official
Date: January 11, 2011
File: Code Interpretation Manual

INTERPRETATION NUMBER: CI2010 -0004

TITLE: Dwelling Unit

CODE EDITION: 2006 International Residential Code

SECTIONS: Chapter 2 Definitions

PURPOSE: Is an "accessory structure" that includes provisions for living including components for sleeping, eating, cooking and sanitation (water closet, lavatory and a tub and/or shower) allowable?

No. A structure where provisions exist that include sleeping, eating-cooking or food preparation and sanitation (water closet, lavatory, and a tub and/or shower) exist, the structure effectively becomes a 2nd "dwelling unit" and would require a permit as a 2nd dwelling unit.

A. 2006 IRC - ACCESSORY STRUCTURE. A structure not greater than 3,000 square feet (279 m2) in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.

B. 2006 IRC - DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

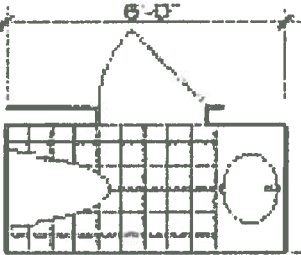
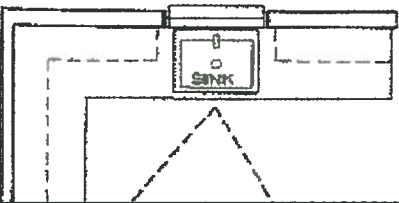
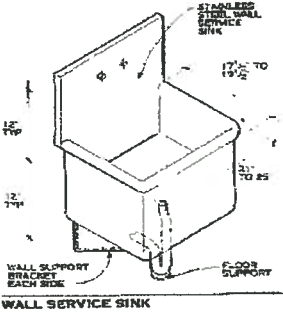
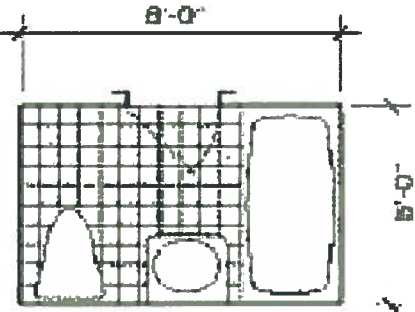
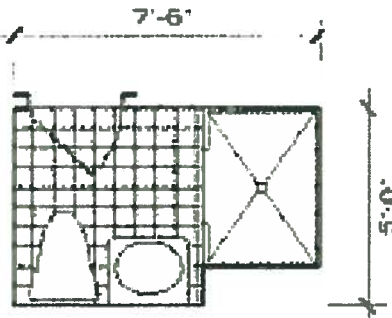
C. 2006 IRC - HABITABLE SPACE. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

When plumbing fixtures are provided, a structure is an "accessory structure" if the structure includes only one the following:

- A. A water closet and a lavatory located in the immediate area of the water closet used for the purposes of hand washing, and/or a kitchen sink, or a service sink used for the purpose of food preparation and/or sanitation of dishware;
- or
- B. A bathroom that includes a shower and/or tub, lavatory and water closet.

For the purposes of this interpretation, an accessory structure shall not be a habitable space.

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City of Austin, Planning & Development Review Department

<p>A. A water closet and a lavatory located in the immediate area of the water closet used for the purposes or hand washing, and/or a kitchen sink, or a service sink used for the purpose of food preparation and/or sanitation of dishware; or</p>	 <p>6'-0"</p> <p>KITCHEN TYPES</p>   <p>STANDARD STEEL WALL SERVICE SINK</p> <p>17 1/2" TO 19 1/2"</p> <p>12" TO 14"</p> <p>12" TO 14"</p> <p>8" x 8"</p> <p>WALL SUPPORT BRACKET EACH SIDE</p> <p>FLOOR SUPPORT</p> <p>WALL SERVICE SINK</p>
<p>B. A bathroom that includes a shower and/or tub, lavatory and water closet.</p>	 <p>8'-0"</p> <p>6'-0"</p>  <p>7'-6"</p> <p>5'-0"</p>